

**MINUTES OF THE MILLVILLE
TOWN COUNCIL REGULAR & TELECONFERENCE WORKSHOP
July 28, 2020 (7:00 p.m.)**

NEW BUSINESS

- A. Discuss and possible vote on the Town maintenance of the pond located at Tax Map Parcel 134-12.00-398.00, at the southeast intersection of Route 26/Atlantic Avenue and Windmill Drive. – Town Code & Building Official Eric Evans

Town Code & Building Official Eric Evans stated ever since about two (2) months ago or so, the Town has been receiving a lot of calls on the condition of what Mr. Evans calls a swamp, but what DelDOT calls a stormwater pond. Mr. Evans stated it is a stormwater pond, but it is in poor condition as being at the entrance to our municipality. Mr. Evans stated Council requested Mr. Evans get some numbers for them in regard to maintenance of the pond, and after Mr. Evans started the process, DelDOT got back in touch with Mr. Evans and asked what the Town is going to do with the pond. Mr. Evans stated the Town has not gotten that far yet, so tonight, he has three (3) papers for Council tonight, the first page being somewhat similar to what the pond currently looks like – it's a sketch provided by EnviroTech. Mr. Evans stated the goal is to clean the pond up, plant in the surrounding land around the pond and put in a fountain similar to what one sees in the picture provided. Mr. Evans stated at the same time, his proposal is to relocate the two (2) bubblers/aerators, which don't "bubble very well" but see if the Town can get some use out of them if DelDOT will allow us. Mr. Evans stated the second page has a couple of ponds which EnviroTech currently take care of, and the one he would like to draw Council's attention to is at the intersection of Substation Road and Burbage Road, which is a DelDOT pond which Millville by the Sea (MBTS) maintains, and they have a fountain in there. Mr. Evans stated it's smaller than this one but is pretty clean. Mr. Evans stated he contacted three (3) different companies: Solitude, EnviroTech, and Tributaries – all three (3) recommended by Soil Conservation (SCD). Mr. Evans stated he received prices on those regarding the initial cost to clean the pond for the annual contract, and with Solitude, the initial for a contract would be six-thousand dollars (\$6000.00). Mr. Evans stated the EnviroTech would be twenty-eight-hundred dollars (\$2800.00), and Tributaries would be thirty-nine-hundred dollars (\$3900.00). Mr. Evans stated he further asked how much it would be with adding a fountain, and Solitude quoted sixty-six hundred (\$6600.00), EnviroTech was fifty-seven-hundred dollars (\$5700.00), and Tributaries was fifty-two-hundred dollars (\$5200.00). Mr. Evans stated when you total the costs out, EnviroTech was the cheapest. Mr. Evans stated there is the one-time fee of the fountain which will be going in, as well as a fee – which Council doesn't have yet as Mr. Evans just received the cost today – which will cost thirteen-hundred dollars (\$1300.00) proximity to get electric to it. Mr. Evans stated he was waiting on the electrician at Delmarva Electric to figure out how the Town will get electric to the site so we can put a meter on it. Mr. Evans stated with the cleaning of the pond itself, the Town is looking at an initial cost of eighty-six-hundred dollars (\$8600.00) then twenty-eight-hundred dollars (\$2800.00), plus the monthly electric bill. Mr. Evans stated he also received a quote for grass cutting and Mr. Evans doesn't know who called who, but DelDOT has been coming through with lawnmowers this year and most of the time they

use “bush hogs” or the same kind of equipment they use on the side of the road. Mr. Evans stated Bright View Landscaping, Roofers Landscaping, and Dean Lewis provided prices to Mr. Evans and Bright View is the cheapest at seventy-five dollars (\$75.00) per cut. Mr. Evans stated he mentioned to the companies he wanted the land cut somewhere between ten (10) and twelve (12) days but not every week, or Mr. Evans needs to know the initial cost of what’s going to qualify for getting a second cut; so the cost is seventy-five dollars (\$75.00) per cut. Mr. Evans stated he is putting this out to Council before any of this goes forward because now there are still a lot of things which need to be accomplished and the Town still needs to approach DelDOT about cleaning the pond. Mr. Evans asked, with the numbers provided, is Council comfortable with these numbers to the point that Mr. Evans can “run with this project” and he’ll know how much money he can spend on this project.

Ms. Ryer asked what the fifty dollars (\$50.00) from Dean Lewis is for if he’s not the lowest offer. Mr. Evans stated the fifty dollars (\$50.00) is per cut, but his theory is the Town also has to maintain its park and Bright View came in so cheap for the Town park, Mr. Evans had to take it, but he knows he’ll have to go back next year. Mr. Evans stated Bright View came in with a price for the park that no one can touch and he’s more than happy to pay the price the rest of the year. Ms. Ryer asked if the twenty-eight-sixty-eight-hundred dollars (\$2868.00) is a yearly maintenance cost. Mr. Evans stated yes, a yearly maintenance contract. Ms. Ryer asked if the eighty-six-fifty-one (\$8651.00) includes everything except for the electricity. Mr. Evans stated yes. Ms. Ryer asked if the electricity is thirteen-hundred dollars (\$1300.00) more. Mr. Evans stated yes. Mr. Evans stated if Council agrees tonight, basically Council is giving Mr. Evans “the ball to run with” and he can report back to Council about how it will all work out in the end. Ms. Ryer stated she would like to double-check with Town Finance Director Lisa Wynn and Ms. Botchie to make sure there are funds available for this project. Mayor Maneri asked if the Town is looking at ten-thousand dollars (\$10,000.00). Mr. Evans stated yes, ten-thousand dollars (\$10,000.00) initial cost, twenty-eight-hundred dollars (\$2800.00) thereafter on the maintenance of the pond. Mr. Evans stated the other aspect on this is the Town shouldn’t look at this as just the pond as originally, way back when DelDOT first started, there was a walking trail around the pond there and it’s all pea gravel – the same which goes around Bishop’s Landing, which the weeds go through and take over. Mr. Evans stated if you go and envision the same thing all along the back side, it would be the perfect place to throw in some bird houses, maybe put in a park bench, and there is actually a small park within the municipality which is out in the middle of Town, in which someone walking could stop and rest.

Mr. Belinko stated when you look at the Town’s comprehensive plan, one of the things mentioned is about improving the streetscapes and this would certainly add to that plan. Ms. Ryer stated the Town Manager is looking into getting some money from the State, which would be a good help to subsidize, offset the costs. Mr. Evans stated he can’t speak to that but he’s sure there are Town residents who may volunteer to build a birdhouse to put over there, and once this (COVID) virus has subsided, the Boy Scouts are always looking to do something for their community service badges, and the Town could get a lot of people involved to benefit the municipality. Mayor Maneri asked if the Town has

liability on this pond or does the State. Mr. Evans stated we are not that far yet. Mayor Maneri stated we're looking at about ten-thousand-eight-hundred dollars (\$10,800.00) – and maybe more because of the electric and stuff like that – and “everybody stood on their soapbox one day” when Mayor Maneri brought up about the police study – not a police department – for safety for the area. Mayor Maneri further stated the Town said “no, we have to find a better way to spend it,” and we're looking at a pond? Mayor Maneri stated he is not understanding this at all as there was discussion of fourteen-thousand dollars (\$14,000.00) for the police study, and now you're talking about over ten-thousand dollars (\$10,000.00) for this (pond maintenance). Mr. Evans asked if Mayor Maneri was addressing Mr. Evans or the Council. Mayor Maneri stated he is addressing everybody. Mr. Evans asked Mayor Maneri if he wanted Mr. Evans to answer. Mayor Maneri stated Mr. Evans could go ahead. Mr. Evans stated there were three (3) crime incidents in one (1) month to do a study, but by looking at the pond every day, Mr. Evans can tell Mayor Maneri the pond looks like that every day. Mayor Maneri stated he knows, he helped clean it, remember? Mr. Evans stated yes, he was in the boat drudging it and he can say it will look like that every day as long as DelDOT does what they do. Mayor Maneri stated he is still looking at the difference in pricing, and Council did away with having a police study so we could see if we could get more (Delaware) State Police (DSP) action here or even build a police barracks – have them put a satellite office down here – because our new Town Hall didn't do it. Mayor Maneri stated if we came under a police study back then and we presented the study saying we need more police down here, case closed, it would've been over. Mayor Maneri stated you all brought your people in, you “stood on your soapbox.” Ms. Ryer stated she didn't bring anyone in. Mayor Maneri stated Ms. Ryer's development (Coventry). Ms. Ryer asked who. Mayor Maneri stated there was that woman. Ms. Botchie stated she thinks this is getting off-track from the agenda topic for discussion. Ms. Ryer stated, for the record, she brought no one into that meeting. Ms. Brienza stated, for the record, neither did she bring anyone in. Mayor Maneri stated Council said no to public safety, but you'll spend it on a little pond. Ms. Ryer stated she thinks it was agreed upon and the consensus from the majority was that a police study wasn't necessary at this time but it's not necessarily something which may not be needed “further down the road.” Mayor Maneri stated the Town will pay extra further down the road. Mr. Belinko asked to get this discussion back on track and stop taking shots at each other. Mayor Maneri stated to take a vote.

Ms. Brienza stated she said she would like to have Mr. Evans do whatever he needs to do to clean that mess up in the pond as it's disgusting. Mr. Belinko stated he is tired of hearing citizens complaining about the pond and thinks the Town should be doing something with it, so he votes to move forward. Ms. Ryer stated as long as the Town is sure it has exhausted all means possible to have the State or a State agency clean it up, which Ms. Ryer doesn't think is going to happen from what she's hearing, then the State is going to give the Town the property. Mr. Evans stated he has no clue in relation to taking over the property. Mayor Maneri stated the Town doesn't really want the property. Ms. Ryer stated we may have to take it. Mayor Maneri stated the Town would be taking the liability with it too. Mr. Evans stated he just wants to know about getting the pond cleaned. Ms. Ryer voted yes, to clean it up. Mr. Michel voted yes. Mayor Maneri voted no.

Ms. Brienza motioned to approve to give Mr. Evans permission to go forward and do whatever needs to be done to get the pond located at Tax Map Parcel 134-12.00-398.00 to be cleaned with the condition of keeping it within the volume of cost discussed tonight and that the Town confirms it has the amount of money needed available. Mr. Belinko seconded the motion. Motion carried 4-1.